Real ID That Spitzer Now Embraces Has Been Widely Criticized

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Gov. Eliot Spitzer's plan to provide three kinds of driver's licenses, two that would meet new federal security regulations and a third that would be available to illegal immigrants, has put New York on pace to be among the first states to adopt the federal identification program known as Real ID.

Mr. Spitzer seemed to be ignoring the federal mandate several weeks ago when he announced that illegal immigrants would be allowed to get the same type of license as other state residents.

The proposal set off intense criticism — a Siena College poll of 620 registered voters found that 72 percent opposed it — even as Mr. Spitzer made clear that he would consider creating a class of driver's licenses in the future to abide by federal regulations.

Mr. Spitzer's new position, announced on Saturday in Washington, places New York among a handful of states agreeing to implement a federal identification system that has faced intense opposition from civil libertarians, immigration advocates and many lawmakers. Concerns focus on privacy protection and the costs to states that implement the Real ID program.

The program is supposed to be phased in nationally by 2013, but Mr. Spitzer wants to put his plan in place next year.

"The costs involved in this program are by no means insignificant," said Jim Harper, director of information policy studies at the Cato Institute, a libertarian policy group in Washington.

The Department of Homeland Security puts the price of the program nationally at $23 billion over 10 years, while the National Governors Association estimates that the cost to states will exceed $11 billion in the first five years alone. Still, Congress appropriated just $40 million for start-up costs in 2006, leaving the burden of paying for most of the costs largely to the states.

"There's going to be an irreducible expense that falls on you, and that's part of the shared responsibility," the secretary of homeland security, Michael Chertoff, said in August at a meeting of the National Conference of State Legislatures.

The Real ID law, which Congress passed two years ago, sets national standards for state-issued documents like driver's licenses and other identification cards, requiring applicants to prove citizenship or legal residency to obtain them. One of the goals of the legislation was to make identification documents harder to forge.

Under the program, an estimated 245 million drivers will have to renew their licenses in person and present a form of photo identification and documents proving date of birth, Social Security number and address.

Proponents of the act say that it responds to recommendations of the 9/11 Commission and that its stricter and standardized rules could keep terrorists and illegal immigrants from obtaining legitimate identification.

But 17 states have passed laws defying the mandate, while others are considering similar measures.

One criticism that has been raised is that the personal information will be entered in databases that will be shared by every state, raising questions about how the data will be secured and how safe its storage will be.

"That's an identity thief's dream," said Christopher Calabrese, counsel for the American Civil Liberties Union's technology and liberty program.

Mr. Calabrese said that Mr. Spitzer's proposal to create a driver's license that would appeal largely to undocumented immigrants presents "a much more dangerous condition" for them.

"What we're going to have," he said, "is a list of undocumented aliens, and there's no way New York will be able to keep the federal government's hands off this list and protect the people whose names are on the list.

"Spitzer may have had the best of intentions at first," Mr. Calabrese continued, "but he buckled to political pressure and it seems now that his good intentions have backfired."

Mr. Spitzer's new plan would also create an even more secure type of license, which would be particularly useful for New Yorkers who frequently cross into Canada.